IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1183 OF 2001

IN

PETITION (LODGING) NO. 916 OF 2002

Nargis Hasanali Nathani
& Anr. ... Petitioner.

vs.

Smt. Shirin Amirali Nathani
& Ors. ... Respondents.

Mr. K.K. Shroff i/by M/s. Firdosh & Co.
for the petitioner.
Mr. Shekhar S. Bise for respondents.

CORAM : S.U.KAMDAR, J.

DATE : 16th August, 2005.

P.C.

. In so far as prayer (c) is concerned, the same does not survive in view of the earlier orders passed under which the postal authorities have already deposited the concerned amount. In so far as the fixed deposits are concerned, the learned counsel for the respondent no.6 states that all the fixed deposits have been encashed and no amount is lying with them. He has filed an additional

affidavit today which is taken on record. In view thereof, prayer clauses (a), (e), (f) and (h) does not survive. There shall be an interim order of injunction in terms of prayer clause (g).

2. The concerned manager of respondent no. 6 has tendered the affidavit dated 12.8.2005 tendering an apology for non-compliance of the orders for furnishing the details. The said apology is accepted. In view thereof, no further action is necessary. In terms of the earlier orders passed, the amount is deposited by this Court in the National Savings Certificates. The office is directed that out of the amount of the National Saving Certificates deposited in this Court by the postal authorities the necessary amount be discharged towards Court fee in this proceedings. Notice of motion is disposed of accordingly. No order as to costs.